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10/538,056	03/31/2006	Gijsbertus Johannes Verduijn	790063.00089	8504
26710 7590 12/21/2006 QUARLES & BRADY LLP 411 E. WISCONSIN AVENUE SUITE 2040 MILWAUKEE, WI 53202-4497			EXAMINER SINGH, KAVEL	
			ART UNIT 3651	PAPER NUMBER
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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4,9,10,11,12,14, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Coen U.S. Patent No. 5,586,644.

Regarding claim 1, Coen teaches a substantially sheet-shaped body part (14) provided with a conveying face located at an upper side (17) of the body part, with hinge holes (15) included in the body part and with two projections provided at the underside of the body part, while sliding faces located at the sides facing each other of the projections, together with a sliding face located between the projections at the underside of the body part form a longitudinal guide with a substantially U-shaped cross section (Fig. 5), where the projections have been provided at a distance from the sides of the body part and that adjacent the projections, at the underside of the body part, sliding faces are located, each forming, with sliding faces located at sides facing away from each other the projections, a longitudinal guide with substantially L-shaped cross section (C2 L13-20).

Claims 2,3,4, and 16, Coen teaches hinge holes extend along a front and rear side of the module and where the cross section of the holes at the front and rear side differs

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per side at least locally and extend over at least the entire width of the body part (Fig. 1) (C2 L13-15).

Claims 9 and 10, Coen teaches sliding faces at the sides facing (125) each other of the projections extend substantially transversely to the underside of the body part (C3 L402-45).

Claim 11, Coen teaches part of the front or rear extending between the projections, the body part is provided with a driving face (C2 L30-33).

Claim 12, Coen teaches sliding faces on the sides facing away from each of the projections other extend substantially transversely to the underside of the body part. (C2 L50-52).

Claim 14, Coen teaches the body part and the projections are manufactured from plastic material (C1 L16-18).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5,6, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Coen U.S. Patent No. 5,586,644 in view of Van-Zijderveld U.S. Patent No. 6,581,758.

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Claims 5,6, and 15, Coen teaches a body part is provided at a front or rear side, but does not teach two bulging hinge loops. Van-Zijderveld teaches two bulging hinge loops (6) with a recess located there between and where, on the opposite side, the body part is further provided with a bulging hinge loop formed correspondingly to the recess (Fig. 4) (C5 L49-51). It would have been obvious to one of ordinary skill in the art at the time of the invention to employ hinge loops as taught by Van-Zijderveld into the invention of Coen in order to provide extra support for the pin to connect the chain modules.

Claims 8 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coen U.S. Patent No. 5,586,644 in view of Van-Zijderveld U.S. Patent No. 6,601,696.

Claim 8, Coen teaches a chain module conveyor, but does not disclose a guide bend segment. Van-Zijderveld teaches a space between the sides of the projection facing each other for including a central projection of a guide bend segment is clear of obstructions (C2 L19-23). It would have been obvious to one of ordinary skill in the art at the time of the invention to employ guide bend segments as taught by Van-Zijderveld into the invention of Coen in order to provide additional flexibility to the chain module.

Claim 17, Cieb teaches hinge pins but that not are manufactured from magnetic or magnetizable material. Van-Zijderveld teaches teaches hinge pins are manufactured from magnetic or magnetizable material (C3 L22-24). It would have been obvious to one of ordinary skill in the art at the time of the invention to employ magnetic hinge pin segments as taught by Van-Zijderveld into the invention of Coen in order to provide additional flexibility to the chain module.

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Claims 5,6, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coen U.S. Patent No. 5,586,644.

Claim 13, Coen teaches the height of the body part between the underside and the conveying surface is 12.8 mm (C2 L13-15).

The recitation of the dimension of the height of the body appears to be an obvious design choice and expedient in view of Gardner v. TEC Systems Inc., 725 F.2d 1338, 220 USPQ 777 (Fed. Cir. 1984). The Federal Circuit held that, where the only difference between the prior art and the claims was a recitation of relative dimensions of the claimed device and a device having the claimed relative dimensions would not perform differently than the prior art device, the claimed device was not patentably distinct from the prior art device.

Allowable Subject Matter

Claim 7 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

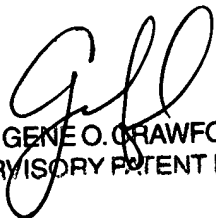
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ms. Kavel P. Singh whose telephone number is (571) 272-2362. The examiner can normally be reached on M-F 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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KPS


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